AN

ACT

For taking Special Bails in the Country, upon Actions and Suits Depending in the Courts of KING'S-BENCH, COMMON-PLEAS, and EXCHEQUER at DUBLIN.

DUBLIN,
Printed by *Andrew Crook*, Printer to the Kings Most Excellent Majesty, on *Ormonde-Key*, 1695.

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CHAP. XVIII.

FOR the Greater Eale and Benefit of all Perſons whatſoever, in taking the Recognizances of Special Bail, upon all Actions and Suits Depending, or to be Depending, in any the Courts of King's-Bench, Common-Pleas, or Exchequer at Dublin.

Be it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That the Chief Juſtice, and other the Juſtices of the Court of Kings-Bench, for the time being, or any two of them, whereof the Chief Juſtice, for the time being, to be one for the ſaid Court of King's-Bench, and the Chief Juſtice of the Court of Common-Pleas; and other the Juſtices there, for the time being, or any two of them, whereof the Chief Juſtice of the ſame Court to be one for the ſaid Court of Common-Pleas; and alſo the Chief Baron and Barons of the Court of Exchequer, for the time being, or any two of them, whereof the Chief Baron, for the time being, to be one for the ſaid Court of Exchequer, may, and are Required, by one or more Commiſſion or Commiſſions, according to the Largeneſs

nels of the ſeveral Counties, under the ſeveral Seals of the ſaid Reſpective Courts, from time to time, as nëd ſhall Require, Impower ſuch, and ſo many Perſons, other then common Attorneys and Sollicitors, as ſhall be fit and Neceſſary in all and Every the ſeveral Counties within the Kingdom of IRELAND, to take and Receive all and Every ſuch Recognizance or Recognizances of Bail or Bails, as any perſon or perſons ſhall be Willing or Deſirous to Acknowledge, or make before any of the perſons ſo Impowered, in any Action or Suit Depending, or hereafter to be Depending, in the ſaid Reſpective Courts, or any of them, in ſuch manner and Form, and by ſuch Bail Peice as the Juſtices and Barons of the ſaid Reſpective Courts have uſed to take the ſame; For Each of which Commiſſions there ſhall be paid Thirtëen Shillings and four-pence, and no more: Which ſaid Recognizance or Recognizances of Bail, or Bail Peice ſo taken, as aforeſaid, ſhall be Tranſmitted to ſome, or one of the Juſtices or Barons of the ſaid Reſpective Courts where ſuch Action or Suit ſhall be Depending: And upon Affidavit made of the Due taking of the Recognizance of ſuch Bail Peice, by ſome Credible Perſon preſent at the taking thereof, ſuch Chief Juſtice or Chief Baron, Juſtice or Baron ſhall receive the ſame upon Payment of ſuch Fees as have bëen Uſually Received for the Taking of Special Bails by the Juſtices and Barons Clerks, and other the Officers of the ſaid Reſpective Courts: Which Recognizance of Bail, or Bail Peice ſo taken and Tranſmitted ſhall be of the like Effect, as if the ſame were

were taken, de bene Esse, before any of the said Justices and Barons. For the taking of Every which Recognizance or Recognizances of Bail, or Bail Peice, the person or persons so Impowered shall Receive only the Summ or Fee of Two Shillings, and no more.

And be it further Enacted, by the Authority aforesaid, That the Justices and Barons Respectively, in the several Courts, shall make such Rules and Orders for the Justifying of such Bails, and making the same Absolute, as to them shall seem meet; so as the Cognizor or Cognizors of such Bail or Bails be not Compelled to Appear in person in any of the said Courts to Justifie him or themselves; but the same may, and is hereby Directed to be Determined by Affidavit or Affidavits Duely taken before the said Commissioners, who are hereby Impowered and Required to take the same: And also to Examine the Sureties upon Oath touching the Value of their Respective Estates, unless the Cognizor or Cognizors of such Bail do Live within the City of Dublin, or within Ten Miles thereof.

And be it further Enacted, by the Authority aforesaid, That any Judge of Assize in his Circuit, shall, and may Take and Receive all and Every such Recognizance and Recognizances of Bail or Bails, as any person shall be Willing and Desirous to make and Acknowledge before him; Which being Transmitted in like manner, as aforesaid, shall Without Oath be Received in manner, as aforesaid, upon Payment of the Usual Fees.

And be it further Enacted, by the Authority

aforesaid, That any Person or Persons who shall before any Person or Persons Impowered, by Vertue of this Act, as aforesaid, to take Bail or Bails, Represent or Personate any other Person or Persons, Whereby the Person or Persons so Represented and Personated, may be lyable to the Payment of any Summ or Summs of Money, for Debt or Damages; to be Recovered in the same Suit or Action Wherein such Person or Persons are Represented and Personated, as if they had Really Acknowledged and Entred into the same, being Lawfully Convicted thereof, shall be Adjudged, Esteemed, and Taken to be Felons, and suffer the Pains of Death; And Incurr such Forfeitures and Penalties as Felons, in other Cases Convicted or Attainted, do by the Law of this Realm Lose and Forfeit.

FINIS.